

**LABEL, IN PART:** "Bill of Fare Brand Early June Peas \* \* \* Distributed by Fredonia Canned Foods Incorporated, Fredonia, Wis."

**NATURE OF CHARGE:** Misbranding, Section 403 (h) (1), the article was substandard in quality.

**DISPOSITION:** April 12, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a public institution, or destroyed. The product was delivered to an institution, for use as animal feed.

**11961. Misbranding of canned peas. U. S. v. 91 Cases \* \* \*. (F. D. C. No. 21873. Sample No. 3970-H.)**

**LIBEL FILED:** December 19, 1946, Middle District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about June 26, 1946, by H. P. Cannon & Son, from Bridgeville, Del.

**PRODUCT:** 91 cases, each containing 24 1-pound, 4-ounce cans, of peas at Scranton, Pa.

**LABEL, IN PART:** "Diamond State Brand. Early June Peas."

**NATURE OF CHARGE:** Misbranding, Section 403 (h) (1), the article was below standard.

**DISPOSITION:** November 4, 1947. Default decree of condemnation. The product was ordered delivered to charitable institutions.

**11962. Misbranding of canned peas. U. S. v. 94 Cases \* \* \* (and 4 other seizure actions). (F. D. C. Nos. 21614, 22201, 22617, 22811, 22859. Sample Nos. 42130-H, 42131-H, 42698-H, 53885-H, 53975-H, 53976-H.)**

**LIBELS FILED:** November 7, 1946; and January 27, March 10, and April 9 and 21, 1947, Eastern District of Kentucky, Southern District of West Virginia, and Southern District of Ohio.

**ALLEGED SHIPMENT:** Between the approximate dates of July 18 and December 31, 1946, by the Crites Milling Co., from Ashville, Ohio, and Ashland and Maysville, Ky.

**PRODUCT:** Canned peas. 94 cases at Covington, Ky.; 397 cases at Huntington, 71 cases at Williamson, and 258 cases at Iaeger, W. Va.; and 416 cases at Ashville, Ohio. Each case contained 24 1-pound, 4-ounce cans.

**LABEL, IN PART:** "Royal Taste Brand [or "Sweet Home Brand"] Sifted Early June Peas \* \* \* Crites Milling Co. Packers Circleville, Ohio," or "Crites Brand Sifted Early June Peas H. M. Crites & Sons Circleville, Ohio Packers."

**NATURE OF CHARGE:** Misbranding, Section 403 (h) (1), all lots of the article were substandard in quality, because the article was a smooth skin variety of peas and the alcohol-insoluble solids were more than 23.5 percent; and, in addition, the Iaeger lot was substandard in quality because more than 10 percent of the peas were too hard to be crushed by a weight of 2 pounds.

Further misbranding, Section 403 (a), the statement "Grade C" on the label of the article in the Covington lot was false and misleading as applied to canned peas of substandard quality.

**DISPOSITION:** December 30, 1946, and February 13, April 22, June 16, and July 11, 1947. No claimant having appeared for the Williamson lot, and the Crites Milling Co. having appeared as claimant for the other lots, judgments of condemnation were entered. The Williamson lot was ordered delivered to a charitable institution, and the other lots were ordered released under bond for relabeling under the supervision of the Federal Security Agency.

**11963. Misbranding of canned peas. U. S. v. 1,992 Cases \* \* \*. (F. D. C. No. 21619. Sample Nos. 51574-H, 51575-H.)**

**LIBEL FILED:** November 6, 1946, Northern District of Iowa.

**ALLEGED SHIPMENT:** On or about July 23, 1946, by the Chaska Canning Co., from Chaska, Minn.

**PRODUCT:** 1,992 cases, each containing 24 No. 2 cans, of peas at Sioux City, Iowa. The product was shipped unlabeled, and no written agreement existed between the shipper and the consignee regarding the labeling. The product was invoiced as standard peas, but was substandard by reason of high alcohol-insoluble solids.